

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRANCE JAMES JONES,
Plaintiff,

v.

KRISTOPHER SPAULDING,
Defendant.

Case No. 22-12171
Honorable Shalina D. Kumar
Magistrate Judge Anthony P. Patti

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 27),
DISMISSING PLAINTIFF’S COMPLAINT (ECF NO. 1), AND DENYING
AS MOOT DEFENDANT’S MOTION TO DISMISS (ECF NO. 19)**

Plaintiff Terrance James Jones (Jones), proceeding pro se, sues defendant Kristopher Spaulding (Spaulding), a prison counselor, alleging violations of his civil rights under 42 U.S.C. § 1983 during Jones’ custodial stay in the St. Louis Correctional Facility (SLF). ECF No. 1. Jones alleges that, upon his arrival at SLF in November 2021, he informed Spaulding that he was in danger of being assaulted due to having “issues with multiple individuals” at the facility. ECF No. 1, PageID.7. Jones asserts that Spaulding’s deliberate indifference to Jones’ safety led to Jones being stabbed multiple times on December 14, 2021. ECF No. 1, PageID.7. Spaulding filed a motion to dismiss (ECF No. 19) and Jones did not file a

response. See ECF No. 25. This case was referred to the magistrate judge for all pretrial matters pursuant to 28 U.S.C. § 636(b). ECF Nos. 9, 12.

On May 20, 2024, the assigned magistrate judge issued a Report and Recommendation (R&R). ECF No. 27. The R&R recommends this Court dismiss this action pursuant to Fed. R. Civ. P. 41(b) and E.D. Mich. LR 41.2 for plaintiff's failure to update his address with the Court or respond to the Order to Show Cause (ECF No. 25), and deny defendant's motion to dismiss as moot. Neither party filed an objection to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by the magistrate judge. The Court therefore **ADOPTS** the R&R as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that plaintiff's complaint (ECF No. 1) is **DISMISSED** and defendant's motion to dismiss (ECF No. 19) is **DENIED AS MOOT**.

Dated: July 17, 2024

s/ Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge